

BEFORE THE KANSAS BOARD OF PHARMACY

In The Matter Of)	
)	Case No. 06-32B
PARKER'S PHARMACY)	
<u>Kansas Registration No. 2-05080</u>)	

FINAL AGENCY ORDER

On September 12, 2006, a hearing was held before the Kansas Board of Pharmacy (the "Board") on the Petition to Revoke or Suspend the Kansas pharmacy registration for Parker's Pharmacy in the above-captioned matter. After considering the evidence admitted at the hearing, the Board enters the following order.

I. FINDINGS OF FACT

1. The Board previously issued Parker's Pharmacy registration number 2-05080, which entitled it to operate a pharmacy in the State of Kansas.
2. In a letter dated July 5, 2006, James Kinderknecht, R.Ph., a Board Inspector, inquired of Darrin L. Cox, PA, of Cotton-O'Neil Clinic whether Parker's Pharmacy had obtained authorization for twenty-five (25) new prescriptions. Mr. Cox responded that neither he nor his agent authorized the prescriptions. [Exhibit 1].
3. In a letter dated July 5, 2006, James Kinderknecht, R.Ph., a Board Inspector, inquired of Dr. Laurie Conway of Cotton-O'Neil Clinic whether Parker's Pharmacy had obtained authorization for forty-four (44) new prescriptions. Dr. Conway responded that she only authorized one (1) of the prescriptions. [Exhibit 2].

4. In an investigative report dated July 12, 2006, James Kinderknecht, R.Ph., a Board Inspector, provided documentation of sixty-five (65) new prescriptions from Parker's Pharmacy that were determined to be fraudulent. [Exhibit 3].

5. In an investigative report dated August 8, 2006, James Kinderknecht, R.Ph., a Board Inspector, provided documentation of information received from Blue Cross Blue Shield of Kansas that identified twenty-one (21) members who were billed for sixty-one (61) medications not dispensed by Parker's Pharmacy. [Exhibit 4].

6. In an investigative report dated June 16, 2006, James Kinderknecht, R.Ph., a Board Inspector, provided documentation of the Medicaid billing practices of Parker's Pharmacy from 2003 to May 23, 2006. [Exhibit 5].

7. In a summary report dated August 8, 2006, James Kinderknecht, R.Ph., a Board Inspector, summarized his investigative reports and opined that a large percentage of Parker's Pharmacy business was fraudulent. [Exhibit 6].

II. CONCLUSIONS OF LAW AND FACT

8. For a number of years, Jay Parker, R.Ph., of Parker's Pharmacy created numerous fraudulent prescriptions and fraudulently submitted claims for payment for those fraudulent prescriptions.

9. Parker's Pharmacy violated the Kansas Pharmacy Law as specified in Count I of the Petition to Revoke or Suspend the Registration of Parker's Pharmacy. As a result, the registration of Parker's Pharmacy may be revoked or suspended pursuant to K.S.A. 65-1627(e)(1).

10. Parker's Pharmacy violated the Kansas Pharmacy Law as specified in Count II of the Petition to Revoke or Suspend the Registration of Parker's Pharmacy. As a result, the